IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR.

O R D E R

Bhupendra Singh. Versus State of Rajasthan & Anr.

S.B. Criminal Misc. Petition No. 706/2006 against the order dated 22-5-2006 passed by the Sessions Judge, Sri Ganganagar, in Criminal Case No. 357/2006.

...

Date of Order: May 29, 2006

PRESENT

HON'BLE MR. JUSTICE H.R. PANWAR

Mr. Anand Purohit, for the petitioner.
Mr. JPS Chaudhary, Public Prosecutor for the State.

BY THE COURT:

By the instant criminal miscellaneous petition under Section 482 Cr.P.C., the petitioner has challenged the order dated 22-5-2006 passed by the Sessions Judge, Sri Ganganagar, whereby on a transfer petition filed by non-petitioner No.2 Mangat Ram, comments from the Presiding Officer of the trial Court were called for, a notice was issued to the petitioner and the matter is now posted to 8-6-2006.

Learned counsel for the petitioner submits that the trial is almost at the fag end, all the prosecution witnesses have been examined and the matter is fixed for final arguments but the non-petitioner No.2, in order to delay the trial of the case,

has filed a vexatious transfer petition.

Be that as it may, since no final order has been passed on the transfer petition and, therefore, merely the apprehension that the matter will be transferred from one Court to another, cannot be a ground to interfere with the impugned order by invoking the provisions of Section 482 Cr.P.C.

The miscellaneous petition is accordingly dismissed. However, the learned Sessions Judge, Sri Ganganagar is directed to dispose of the transfer petition expeditiously.

(H.R. PANWAR), J.

mcs